IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION NO. 661 OF 2004

IN

COMPANY PETITION NO. 160 OF 1990

J.B. Samel and Ors. .... Applicant
v/s.
The Official Liquidator
of M/s. Hoist-O-Mech ... Respondents

A. Ramakrishna with M.P. Thakur for the applicants.
Mr. P.G. Rao, deputy Official Liquidator present.

CORAM: S.U. KAMDAR, J.

DATE : 27TH JANUARY, 2005.

P.C. :

1. The present application is filed for re-examining and re-adjudicating the claim of the workers. The learned counsel for the applicant has relied upon the division Bench judgment dated 24.6.2002 in Appeal no. 385 of 2004 in respect of the aforesaid application. I have heard the official liquidator. The official liquidator states that all

the claims are not considered and with whatsoever amount available the official liquidator has already disbursed the same on the basis of admitted claims and 100% dividend all the claims admitted has been made. The learned counsel for the applicant states that there are certain assets which are now further disposed of and the sale proceeds is lying deposited with the DRT pursuant to the execution of recovery certificate.

2. In the light of the aforesaid circumstances, the official liquidator is directed to re-examine and re-adjudicate the claim of the workers and prepare a report stating the reasons for refusing to entertain a particular claim of the workers. On such a report prepared by the O.L. will be forwarded by the O.L. to the DRT. The official liquidator is directed to re-examine the case within a period of eight weeks from today.

sd/-

****